

REMARKS

Claims 1, 16, 31, 34, 43, 47, 60, 77, 78, 84, 85, and 91 have been amended in this paper. Claims 46, 56-59, 67, 70-76, 82-83, and 96 have been canceled without prejudice in this and in previous papers. Claims 1-45, 47-55, 60-66, 68-69, 77-81 and 84-95 are pending in the present application. Reexamination and reconsideration of the application as amended are respectfully requested.

The present invention in various preferred embodiments is directed to a wrist support that includes a rigid plastic exostructure of one or more pieces that is directly molded to an inner soft fabric support. The wrist support has an optional web portion extending across the web of the hand, which web portion is attached to the wrist support by a hinge at one side. An axis of rotation of the hinge is not co-planar with the rigid plastic exostructure (i.e., the pivot axis of the web portion does not lie in a common plane defined by the rigid exostructure). This feature is shown in, for example, Fig. 35 of the pending application.

The examiner rejected claims 1-4, 14-15, 34-35, 38-42, 44-48, 55, 60-62, 67 and 84 under 35 U.S.C. § 102(b) over U.S. Patent No. 5,782,784 (Wasserman). This rejection is respectfully traversed.

To better distinguish the present invention over Wasserman, applicant has amended independent claims 1 and 47 to provide that the molded plastic exostructure and the inner fabric support are “*directly molded*” to each other. Support for the amendment is provided in, for example, p. 11, ll. 5-7; p. 14, ll. 13-25; p. 18, ll. 25-26 (“entire support is formed in a single molding step”); and claims 31 and 43 of the application as originally filed.

Furthermore, applicant has amended independent claims 34, 60 and 84 to provide that the molded plastic exostructure comprises “a hinged web portion ... wherein an axis of rotation of said hinge is *not co-planar with* said molded plastic exostructure.” Support

for this amendment is provided at p. 19, ll. 7-12; and Fig. 35 of the pending application as originally filed.

The Wasserman reference does not disclose or suggest anywhere how the flexible soft cover 18 is joined to the stiff plastic splint base 12. There is only one passing reference in Wasserman at col. 2, ll. 30-31 that “the cover 18 is mounted on splint or base member 12 in the manner described.” There is no disclosure or suggestion that the stiff plastic splint base 12 and the flexible soft cover 18 are “directly molded” to each other. Therefore, amended independent claims 1 and 47 are not anticipated by this reference. Claim 67 has been canceled.

According to the examiner, Wasserman at col. 2, ll. 5-6, ll. 19-23 and Fig. 6 discloses a hinge line 33 which is allegedly a “hinge” for the wrist support. However, the “hinge” in Wasserman is more accurately characterized as a crease or a fold in the fabric. As a crease or fold in the fabric, the axis of rotation is co-planar (i.e., in a common plane) with the fabric cover, as is plainly seen in Fig. 6 of Wasserman. On the other hand, the “hinge” in the present invention is an actual pivot point attaching the hinged web portion to the exostructure or soft fabric, and the axis of rotation of the hinge is clearly not co-planar with the exostructure or fabric. By analogy, the hinge for thumb pouch 32 in Wasserman operates like a door hinge (axis of rotation co-planar with door), while the present invention web portion hinge operates like a door knob (axis of rotation not co-planar with door but perpendicular to door). Therefore, amended independent claims 34, 60 and 84 are not anticipated by Wasserman.

The examiner rejected claims 5-7, 10-13, 43, 45, 49-50, 53-54, and 91 under 35 U.S.C. § 103(a) over Wasserman in view of U.S. Patent No. 4,854,310 (Lee). This rejection is respectfully traversed.

According to the examiner, Lee teaches fabricating first and second pieces for a wrist support. Applicant respectfully contends that the examiner has identified no motivation specified in the references for combining their teachings.

Further, Lee does not teach a hinged web portion; rather, Lee teaches a rigid, fixed stem 19 to immobilize the thumb (Lee, col. 4, ll. 9-11, and Fig. 1). Lee also has no disclosure regarding directly molding the exostructure and inner fabric support together. So even if properly combinable, Wasserman and Lee do not teach “directly molded” recited in base claims 1 (for dependent claims 5-7, 10-13), and 47 (for dependent claims 49-50, 53-54); or a “hinged web portion” of base claims 34 (for dependent claims 43, 45) and 91.

The present invention is therefore not obvious in view of the references individually or in combination. Applicant further respectfully disagrees with the examiner’s other grounds for supporting the rejection as set forth in the Office action.

The examiner rejected claims 8-9, 16-33, 34, 36-37, 47, 51-52, 63-67, 77-81, and 92-95 under 35 U.S.C. § 103(a) over Wasserman in view of Lee and U.S. Patent No. 5,584,799 (Gray). This rejection is respectfully traversed.

According to the examiner, Gray teaches “a wrist support having different densities (non-uniform thicknesses)” and separate stays for adding rigidity. Applicant respectfully points out that a non-uniform thickness or increased thickness according to Gray (at col. 7, ll. 45-47) is not the same as “different densities” (claims 8, 23, 36, 51, 63) which term “density” is defined as mass per unit volume. A wrist brace with thicker and thinner sections may have all the same mass per unit volume at those thicker and thinner sections yet would not have different densities as claimed.

Applicant respectfully contends that the examiner has identified no motivation specified in the references for combining their teachings. It is therefore improper to combine the references.

Finally, even if properly combinable, Wasserman, Lee, and Gray do not teach “directly molded” as recited in claims 1 (for dependent claims 8-9), 16-33, 47 (for dependent claims 51-52), and 77-81; or a “hinged web portion” as recited in claims 34

(for dependent claims 36-37), 60 (for dependent claims 63-66, claim 67 canceled), and 91 (for dependent claims 92-95).

The present invention is therefore not obvious in view of the references individually or in combination. Applicant further respectfully disagrees with the examiner's other grounds for supporting the rejection as set forth in the Office action.

The examiner rejected claims 68-69 and 84-90 under 35 U.S.C. § 103(a) over Wasserman in view of U.S. Patent No. 5,772,620 (Szlema). This rejection is respectfully traversed.

According to the examiner, Szlema teaches a wrist support comprising a volar plate and a dorsal plate.

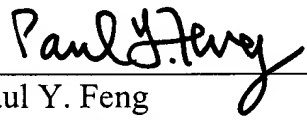
Applicant respectfully contends that the examiner has identified no motivation specified in the references for combining their teachings. It is therefore improper to combine the references.

Even if properly combinable, Wasserman and Szlema do not teach a hinged web portion as recited in claims 60 (for dependent claims 68-69) and 84-90. The present invention is therefore not obvious in view of the references individually or in combination. Applicant further respectfully disagrees with the examiner's other grounds for supporting the rejection as set forth in the Office action.

In view of the foregoing, applicant respectfully submits that all claims are now in condition for allowance. Reexamination and reconsideration of the application are respectfully requested and allowance at an early date is solicited. The Commissioner is authorized to charge Deposit Account No. 06-2425 for any unforeseen fees arising from the filing of this paper.

Respectfully submitted,

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